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MILITARY COUNTER-DRUG SUPPORT TO LAW ENFORCEMENT AGENCIES
AN INDIVIDUAL STUDY PROJECT

by

Colonel Dennis L. Hunter
Army National Guard of the United States

Colonel (Ret) Murl D. Munger
Project Adviser

U.S. Army War College
Carlisle Barracks, Pennsylvania 17013

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ABSTRACT

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As the level of counter-drug support has increased and responsibilities spread throughout the military establishment, the methods of determining what support is available, how and from whom law enforcement agencies should request it, where the required equipment and capabilities exist, and how the request can be satisfied at the lowest possible level have become more important.

This paper examines the counter-drug missions assigned to the Department of Defense and the organizational structure put into place to execute those missions. The conclusions resulting from this study are that the information provided to drug law enforcement agencies on military support capabilities as well as the guidance on procedures for requesting such support are not adequate to ensure the provision of required support in a timely organized manner. Recommendations for improving the provision of this information and procedural guidance are provided.

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MILITARY COUNTER-DRUG SUPPORT TO LAW ENFORCEMENT AGENCIES

CHAPTER 1

INTRODUCTION

Although drug abuse is not a new problem in the United States, the demand for and use of illegal drugs has increased alarmingly since the late 1970s. The Reagan Administration's Task Force on Violent Crime warned of the growing seriousness of this problem in 1981.¹ Throughout the 1980s, in spite of growing recognition and efforts to combat it, the use of illegal drugs and the crime, health, economic, and international problems associated with them, grew at a rapid rate. The incidence of violent crimes reported to police in the United States -- murder, rape, robbery, and aggravated assault -- grew steadily through the remainder of the decade, dipped slightly in the early 1980s, and continued to grow through 1987.² Drug abuse has been a major contributor to this increase. Today, the fear of violence and crimes associated with illegal drugs is at an all-time high. Felony drug convictions now account for the single largest and fastest growing sector of the Federal prison population. Three-fourths of all robberies and half of all felony assaults committed by young people now involve drug users. Intravenous drug use is now the single largest source of new HIV/AIDS virus infections, and perhaps one-half of all AIDS deaths are drug-related. Drug-related emergency hospital admissions increased by 121 percent between 1985 and 1988. A 1989 U.S. Chamber of Commerce estimate put annual gross drug sales at \$110 billion,³ and DLEA

officials have recently updated that figure to \$150 billion. On-the-job drug use is estimated to cost American industry and business \$60 to \$80 billion each year in lost productivity and drug-related accidents.⁴ Throughout the 1980s there were several pieces of legislation which served to increase military involvement in assisting the law enforcement battle against illegal drugs. The 1989 Defense Authorization Act, signed into law by President Reagan on September 29, 1989, directed the Department of Defense (DoD) to provide military support to civilian drug law enforcement agencies (DLEA) in the following manner.

- Provide information relevant to a violation of federal or state law that is collected during the normal course of military training or operations.
- Make available any equipment, base facility, or research facility of the Department of Defense to law enforcement officials for law enforcement purposes.
- Make Department of Defense personnel available to train law enforcement officials in the operation and maintenance of equipment and to provide expert advice.
- Provide DoD personnel for the maintenance of law enforcement equipment and to operate equipment for detecting and monitoring sea and air traffic, conducting aerial reconnaissance, intercepting vessels or aircraft to direct them to a location designated by law enforcement officials, facilitating communications for law enforcement officials,

transporting law enforcement personnel, and the operation of bases of operations for civilian law enforcement personnel.⁵ The legislation further called for enhanced cooperation with civilian law enforcement officials and an enhanced drug interdiction and enforcement role for the National Guard in a state rather than federal status.⁶

In order to accomplish this assigned mission, the DoD must ensure that law enforcement officials know what capabilities the military has in those areas that are conducive to law enforcement efforts, and what equipment is available for use in support of, or by law enforcement personnel. Further, standard procedures must be established for law enforcement officials to request support, and for military elements to resource and satisfy those requests at the lowest possible level. Failure to develop such procedures and provide them, in written form, to law enforcement officials and military elements at all levels can only lead to law enforcement confusion about what support is available and how to get it. The result will be lack of requests, duplication of effort in satisfying requests, and conflict between law enforcement officials and the supporting military, as well as between various agencies with support responsibilities within DoD.

This paper will look briefly at the DoD efforts as the lead government agency for detection and monitoring of aerial and maritime transit of illegal drugs into the United States. It will then examine the progress DoD has made on integrating the command, control, communications and technical intelligence

assets of the United States, dedicated to the interdiction of illegal drugs into an effective communications network. The primary focus of this paper, however, will be on military support to civilian law enforcement agencies. It will examine the specific legislative requirements for military support to DLEAs and procedures established at the various levels of DoD to ensure DLEAs are aware of the support available and how to request it. It will assess the level of understanding of these procedures at the federal, state, and local levels of drug law enforcement as well as the understanding between various military headquarters with support responsibilities. Finally, it will describe the shortfall in procedural guidance, and suggest measures that may overcome the shortfalls and resolve inadequacies in the current program.

ENDNOTES

CHAPTER I

1. T.C. Linn, "The U.S. War on Drugs," Amphibious Warfare Review, Winter 1989, p. 60.
2. Michael Edgmand, Ronald Moomaw, and Kent Olson, Economics and Contemporary Issues, p. 114.
3. George Bush, National Drug Control Strategy, Washington: The White House, September 5, 1989, p. 1-2.
4. William W. Mendel and Muriel D. Munger, Campaign Planning and the Drug War, (External Draft), p. 1.
5. U.S. Laws, Statutes, etc. Public Law 100-456. (hereafter referred to as "P.L. 100-456"), Title XI, Sec. 1104.
6. Ibid., Sec. 1105.

CHAPTER II

BACKGROUND

Even though the Department of Defense had been providing some limited counter-drug support to law enforcement agencies throughout the decade of the 1980s, it was not until 1989 that legislation was passed that designated specific missions for DoD.

The 1989 Defense Authorization Act, Public Law 100-456, gave the Department of Defense three specific drug interdiction and law enforcement support missions. The first of these missions was for the Department of Defense to serve as the single lead agency of the Federal Government for the detection and monitoring of aerial and maritime transit of illegal drugs into the United States. Secondly, the Secretary of Defense was tasked with the responsibility to integrate the command, control, communications, and technical intelligence assets of the United States, that are dedicated to the interdiction of illegal drugs, into an effective communications network. And finally, the Department of Defense was directed to fund and oversee an enhanced drug interdiction and enforcement support role for the National Guard. Such support operations must be requested by the Governor of the State and conducted by the National Guard under the command and control of State authorities and not in Federal service.¹ Three hundred million dollars (\$210 million in new obligation authority and \$90 million from 1987/89 Navy aircraft procurement) was provided to accomplish these missions in fiscal year 1989.²

Based on this specific guidance from the Congress, the Department of Defense began to develop military strategy to accomplish the specified objectives. In this particular case the normal sequence for developing military strategy was not followed. Development of an overall national drug strategy, which included a role for the military, had not been completed when the Department of Defense was directed to develop military strategic concepts for objectives established by Congress. The political intensity of this issue combined with the historical reluctance of the Department of Defense to accept a role in interdiction and enforcement support caused an unorganized, top-down approach to the development of military strategy. There was no strategy for the use of military assets against illicit drug trafficking yet \$300 million dollars was allocated to be spent without a program in place to determine what was really needed. The \$300 million allocated had no basis with regard to estimates and plans, but was an arbitrary figure generated by the Congress to stimulate DoD action. The result of this was that the Department of Defense was required to develop ways to accomplish ends dictated by congress with arbitrarily determined means.

Specific responsibility for planning and execution of the three designated missions was assigned as follows. The detection and monitoring mission was assigned to the Chairman of the Joint Chiefs of Staff with regional execution further delegated to the Commanders-in-Chief (CINC) of: U.S. Atlantic Command (USLANTCOM), U.S. Southern Command (USSOUTHCOM), U.S. Pacific Command

(USPACOM), and the North American Air Defense Command (NORAD). Two counternarcotic joint task forces were formed, JTF-4 under USLANTCOM and JTF-5 under USPACOM, with specific responsibility for detection and monitoring of aerial and maritime transit of illegal drugs into the United States.

The mission of integrating the command, control, communications and technical intelligence assets into an effective communications network was assigned to the Assistant Secretary of Defense for Command, Control, Communication, and Intelligence. The enhanced drug interdiction and enforcement role for the National Guard remained the responsibility of the DoD Coordinator for Drug Enforcement Policy and Support, an assistant secretary level position created to manage the overall drug enforcement support mission. The detailed management of the National Guard mission was further assigned to the National Guard Bureau, with authority for approval and funding of State plans retained at the Office of the Secretary of Defense (OSD).³

On September 5, 1989 President Bush sent to the Senate and the House of Representatives the 1989 National Drug Control Strategy,⁴ and on the following evening outlined that strategy in a nationally televised address to the American people. The stated national interest upon which this strategy was based was "A Drug Free America".⁵

On September 18, 1989 Secretary of Defense Richard B. Cheney released the Department of Defense guidance for implementation of the President's National Drug Control Strategy. This document

established the basis for application of the military element of national power to the illegal drug problem, and specified that the "supply of illicit drugs to the United States from abroad, the associated violence and international instability, and the use of illegal drugs within the country pose a direct threat to the sovereignty and security of the country". It further stated that "the detection and countering of the production, trafficking and use of illegal drugs is a high priority national security mission of the Department of Defense". The guidance established three objectives, reduce the production of drugs at the source, interdict drugs in transit to the United States, and reduce the use of drugs in the United States.⁶ Reducing the production of drugs at the source became a primary objective of USSOUTHCOM through support to the Andean Ridge and other Latin American nations. In September 1989, the Commander in Chief of United States Forces Command (USFORSCOM) was given responsibility for coordinating all DoD operational support to counternarcotics activities on the ground in the continental United States. Joint Task Force Six was established at Fort Bliss, Texas to coordinate military support to law enforcement for the U.S. land border with Mexico.⁷

Public Law 101-189, National Defense Authorization Act for Fiscal Years 1990 and 1991, refined the 1989 provisions of Public Law 100-456 and provided \$40 million for military support of counter-drug activities if requested by Federal agencies with counter-drug responsibilities. Such support could consist of

maintenance and repair of loaned DoD equipment; transportation of personnel, supplies, and equipment; establishment and operation of bases of operations for law enforcement; loan of National Guard equipment; and training of personnel.⁸ Title X, Sec. 1004 of the Fiscal Year 1991 Defense Authorization Act changed the provisions outlined above to broaden the support that could be provided, and to make it available to State, local, and foreign law enforcement agencies as well.⁹

The above background establishes the DoD missions designated by the Congress, the organization developed by the DoD to plan and execute those missions, and the specific headquarters responsible for each of the designated missions. Following Chapters will look at the support required by each of these missions and the procedures implemented to provide that support.

ENDNOTES

CHAPTER 11

1. U.S. Laws, Statutes, etc., Public Law 100-456. (hereafter referred to as "P.L. 100-456").
2. U.S. Laws, Statutes, etc., Public Law 100-463. (hereafter referred to as "P.L. 100-463").
3. William H. Taft IV, Department of Defense Report to the Congress, January 1989, 15 February 1989.
4. George Bush, President of the United States, Letter to the Speaker of the House of Representatives, 5 September 1989.
5. George Bush, National Drug Control Strategy, Washington: The White House, September 5, 1989.
6. Richard B. Cheney, Department of Defense Guidance for Implementation of the President's National Drug Control Strategy, 18 September 1989, pp. 1-5.
7. Stephen M. Duncan, Prepared Statement of the Department of Defense Coordinator for Drug Enforcement Policy and Support, for testimony to the House Armed Services Committee, Subcommittee on Investigations, April 19, 1990, pp. 7-8.
8. U.S. Laws, Statutes, etc. Public Law 101-189. (hereafter referred to as "P.L. 101-189"). Title XII, Sec 1212.
9. U.S. Laws, Statutes, etc. Public Law 102-510. (hereafter referred to as "P.L. 102-510".) Title X, Sec 1004.

CHAPTER III

DETECTION AND MONITORING

As mentioned earlier, the detection and monitoring mission was assigned to the Chairman of the Joint Chiefs of Staff for planning and implementation, with regional responsibilities delegated to the four designated CINCs. Because the Detection and Monitoring mission specifies "aerial and maritime transit of illegal drugs", USFORSCOM is a supporting CINC for this mission. Except for the creation of JTF-4 and JTF-5, the CINCs have used normal command and control organizations to execute this mission.

JTF-4 is located in Key West, Florida and is commanded by a Coast Guard Vice Admiral who reports directly to USCINCLANT. JTF-5 is located in Alameda, California and is commanded by a Coast Guard Rear Admiral who reports directly to USCINCPAC. Emphasis is on gathering and processing intelligence information, coordinating the use of surveillance assets to identify suspected air and seacraft, and tracking suspect craft until they can be turned over to law enforcement for intercept.

An exchange of liaison personnel between these headquarters and the Federal law enforcement agencies they support has eliminated many of the problems inherent to the interoperability of the military and Federal law enforcement agencies. Requirements for military support in source countries such as Columbia, Peru, and Bolivia as well as in transit from source countries to the United States, are handled by USSOUTHCOM through coordination

with the appropriate embassy and country MILGRP, or by the national headquarters of the Federal law enforcement agency seeking the support. This type of coordination is not new. While most Federal DLEAs are familiar with the procedures to obtain the required support, written information on available capabilities and standard procedures for requesting such support would add clarity and reduce confusion.

In spite of a lack of written procedural guidance,² Federal DLEAs are able to get their support requirements to the appropriate military headquarters even if it means going through their agency headquarters in Washington. However, guidance on what kinds of support are available and standard written procedures for requesting such support are needed by State and local DLEAs who have a requirement for intelligence, surveillance, and tracking support. While Federal DLEAs such as the U.S. Customs Service, the U.S. Border Patrol, the U.S. Coast Guard, and the Drug Enforcement Administration are the primary interdiction agencies, they do not have sufficient assets to cover the lengthy coastal borders of the United States. State and local DLEAs often must provide the interdiction capability in their own jurisdiction, yet fewer than 23% of local law enforcement officers responding to a survey of their understanding of military support available and how to get it, were aware of any guidance of this nature from the designated CINCs, and fewer than 40% were aware of guidance from any military headquarters.³

ENDNOTES

CHAPTER III

1. Stephen M. Duncan, Prepared Statement of the Department of Defense Coordinator for Drug Enforcement Policy and Support, for testimony to the House Armed Services Committee, Subcommittee on Investigations, April 19, 1990, pp 5-11.
2. Interview with David McCullough, COL, Office of the Deputy Assistant Secretary of Defense for Drug Enforcement Plans and Support, Carlisle Barracks, PA, 7 December 1990.
3. A research survey was sent by this author to 210 State and local law enforcement agencies nation-wide and the National Guard headquarters of 54 States, territories, possessions, and the District of Columbia.

CHAPTER IV

**INTEGRATION OF C³I INTO AN EFFECTIVE
COMMUNICATIONS NETWORK**

In the 1980s, the DoD had provided planning assistance and equipment such as ground satellite terminals, secure radios, and STU III secure telephones to Federal law enforcement agencies to help establish the National Narcotics Border Interdiction System (NNBIS), under then Vice President Bush. In 1987 DoD joined law enforcement in helping to analyze communications support requirements for drug interdiction, and in 1988 the development of the Communications Master Plan. The Communications/Electronics Interoperability Working Group (CEIWG) was formed by the Secretary of Defense to write the Communications Master Plan, which was approved by former Attorney General Edwin Meese III in his capacity as Chairman of the National Drug Policy Board.

The plan identified requirements for interagency communications during joint operations and defined telecommunications and security standards and procedures to satisfy interagency requirements and achieve interoperable and secure communications. It was an excellent road map which detailed responsibilities and coordination requirements to build a system on which DLEAs could communicate operational information. The Defense Communications Agency (DCA) was designated the DoD agency responsible for implementation of the DoD portion of the plan. The plan called for development of an counter-drug network (ADNET) in three

phases with completion of the final phase by April 1991. ADNET uses the Defense Data Network (DDN) and Joint Visually Integrated Display System (JVIDS) to pass fused intelligence from DIA and NSA.

When the 1989 Defense Authorization Act tasked the Secretary of Defense to integrate the command, control, communications and technical intelligence assets of the United States into an effective communications network, he assigned the DoD staff responsibility for this mission to the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence (ASD/C³I). It is obvious from the interagency cooperation throughout the development of the Communications Master Plan and development of the ADNET that Federal DLEAs understand how to coordinate with DoD for support on this mission. What is not so obvious is how DLEAs below the federal level coordinate requirements to ensure interoperability at their level. During a 20 December 1989 briefing on DoD funding support for the Communications Master Plan, LTG Stephen Olmstead, Deputy Assistant Secretary of Defense for Drug Policy and Support, charged the Communications/Electronics Interoperability Working Group to ensure that the "cop on the ground can talk to the army helicopter in the air" during a drug support operation.²

The C³I network, which is part of the overall military support package, is in the growing stage and is functioning now at the strategic and operational levels. Development has not yet reached adequate sophistication, however, to include tactical

operations. While the concept and the planning of the system is adequate, it has not been fully implemented and will require ongoing effort.

A major complaint of DLEA supervisors has been the lack of compatible communications equipment by military support personnel at the tactical level.³ When questioned about their understanding of guidance from DoD on procedures to provide input or requests for the integration of their C³I requirements into an effective communications network, DLEA supervisors were unaware of such an effort.⁴ Lack of this capability was the catalyst which prompted the National Guard Bureau decision to seek funding for procurement of communications equipment in the 1990 counternarcotics budget.⁵

In numerous visits to observe counter-drug support operations from January 1989 through June 1990, in California, Texas, Florida, Georgia, South Carolina, North Carolina, Virginia, and New York, lack of compatible communications and intelligence assets were identified as significant problems by State and local DLEAs. Intensive joint counter-drug operations, Border Ranger II and Border Ranger III, were conducted in southern California in 1989 and 1990. Federal, State, and local law enforcement agencies, supported by the California National Guard, conducted extensive border surveillance and interdiction operations, cargo inspection, and marijuana eradication operations. The operation was plagued by communications problems caused by the lack of compatible radios.⁶

Tactical communications interoperability has not been built into the ADNET system or any other portion of the "effective communications network" DoD was tasked to develop to provide a communications and intelligence capability to DLEAs. It is not good enough to include only Federal DLEAs in the C³I integration effort. Until State and local DLEAs are integrated, the cop on the ground cannot talk to the army helicopter in the air.

ENDNOTES

CHAPTER IV

1. Briefing to the Chairman of the Joint Chiefs of Staff, by the Deputy Assistant Secretary of Defense for Drug Enforcement Plans and Support, Progress on DoD Drug Support Missions, Washington, DC, February 8, 1990.
2. The author attended the briefing referred to and witnessed the cited conversation.
3. Interviews with the below listed law enforcement supervisors. (hereafter referred to as "Interviews with OR/WA DLEAs").
 - Sheriff Steven Kernes, Clallam County Sheriff's Department, Port Angeles, WA, 23 April 1990.
 - Chief John Shields, Pierce County Sheriff's Department, Tacoma, WA, 24 April 1990.
 - Captain David Olsen, Tacoma Police Department, Tacoma, WA, 24 April 1990.
 - Major LeRon Howland, Commander District 1, Oregon State Police, Portland, OR, 26 April 1990.
 - Deputy Chief Dan Noelle, Portland Police Bureau, Portland, OR, 26 April 1990.
 - Lieutenant John Downey, Oregon State Youth Gang Strike Force, Portland, OR, 26 April 1990.
 - Capt Chuck Karl, Regional Organized Crime Narcotics (ROCN) Task Force, Portland, OR, 26 April 1990.
 - Sgt Bruce Billesbach, Jr., Portland Gang Enforcement Team (GET), Portland, OR, 26 April 1990.
4. Interviews with OR/WA DLEAs.
5. U.S. Laws, Statutes, etc. Public Law 101-165. (hereafter referred to as "P.L. 101-165").
6. Interview with Guido Portante, COL, Chief of Staff, 40th Infantry Division, California National Guard, and Commander of the Border Ranger field forces, 18 March 1990.

CHAPTER V

**MILITARY SUPPORT FOR CIVILIAN
LAW ENFORCEMENT AGENCIES**

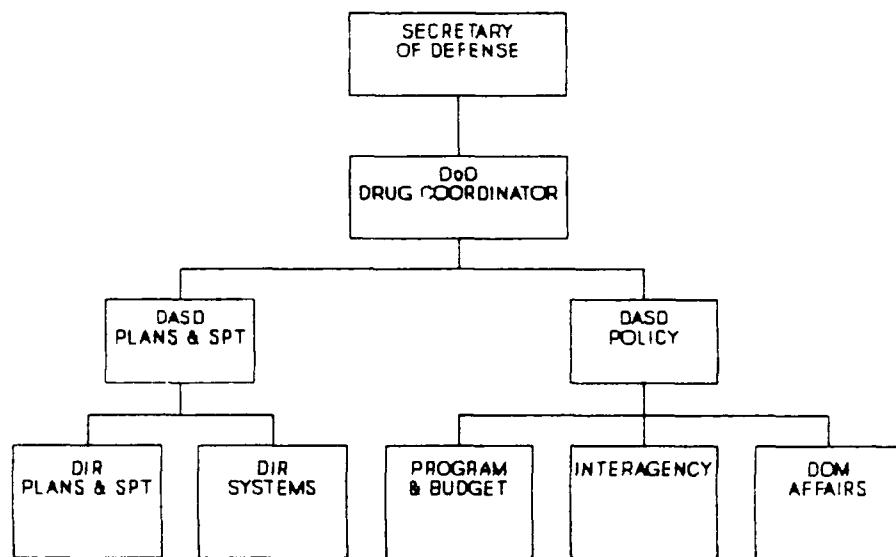
The final mission tasked to the Department of Defense in the 1989 Defense Authorization Act was enhanced drug interdiction and law enforcement support to civilian law enforcement agencies. Included in this mission is the enhanced role of the National Guard. This chapter will describe the organizational structure DoD has developed to coordinate law enforcement requests for support with military units or DoD agencies tasked with providing it? It will examine the information and guidance the DoD has provided to drug law enforcement agencies on the kinds of support available and what procedures have been developed for requesting such support? Finally it will scrutinize the guidance that has been provided by OSD, the various CINCs, and their subordinate headquarters on the kinds of support that can be provided, the location of approval authority, and the requirements for coordination with other DoD elements.

ORGANIZATIONAL STRUCTURE

Within the office of the Secretary of Defense (OSD) an Assistant Secretary level position, DoD Coordinator for Drug Enforcement Policy and Support, was established to manage the counter-drug support mission. On April 22, 1989 Secretary of Defense Cheney announced that he had asked Stephen M. Duncan, Assistant Secretary of Defense for Reserve Affairs, to serve

simultaneously in the position of Drug Coordinator until further notice.¹ Two Deputy Assistant Secretaries have been appointed to develop policy and to plan and coordinate support (see structure in Figure V-1).

OSD DRUG STAFF ORGANIZATION



HUNTERMAP I

FIGURE V-1
OSD DRUG STAFF ORGANIZATION

The organizational structure throughout the DoD was modified by adding counternarcotic cells at selected senior headquarters; creating Joint Task Forces Four, Five, and Six; and creating five Regional Logistics Support Offices. Responsibility for support to law enforcement within the continental United States (CONUS), by Active Component forces and Reserve Component forces in Federal status, belongs primarily to USFORSCOM. However, USLANTCOM, USPACOM, and NORAD provide support in CONUS for the aerial and maritime detection and monitoring mission. Staff responsibility for the coordination of National Guard support to law enforcement was delegated by the Secretary of Defense to the National Guard Bureau. Actual support is conducted under the command and control of State authorities and is administered for the governor of each state by the Adjutant General.

Regional Logistics Support Offices are OSD field operating activities located in Buffalo, NY; Miami, FL; El Paso, TX; Long Beach, CA; and Honolulu, HI. With the exception of Hawaii, each RLSO consists of a five member team headed by a Lieutenant Colonel or a Navy Commander. The Hawaii RLSO is a two member team headed by a Non-Commissioned Officer. It is a smaller team because it is responsible only for the Hawaiian Islands. The RLSOs are designed to coordinate requests for loan or transfer of equipment (non-operational support) that cannot be supported by the National Guard, the responsible Army headquarters, or USFORSCOM. The RLSO in El Paso, TX is collocated with a joint Federal law enforcement agency headquarters called Operation Alliance which has the

responsibility of coordinating all joint counter-drug operations along the Mexican border. The Buffalo, NY RLSO is collocated with a similar joint law enforcement agency headquarters called North Star, responsible for the coordination of counter-drug operations on the Canadian Border. Figure V-2 depicts the DoD organization for CONUS drug law enforcement support.

DoD CONUS DRUG LAW ENFORCEMENT SUPPORT ORGANIZATIONAL STRUCTURE

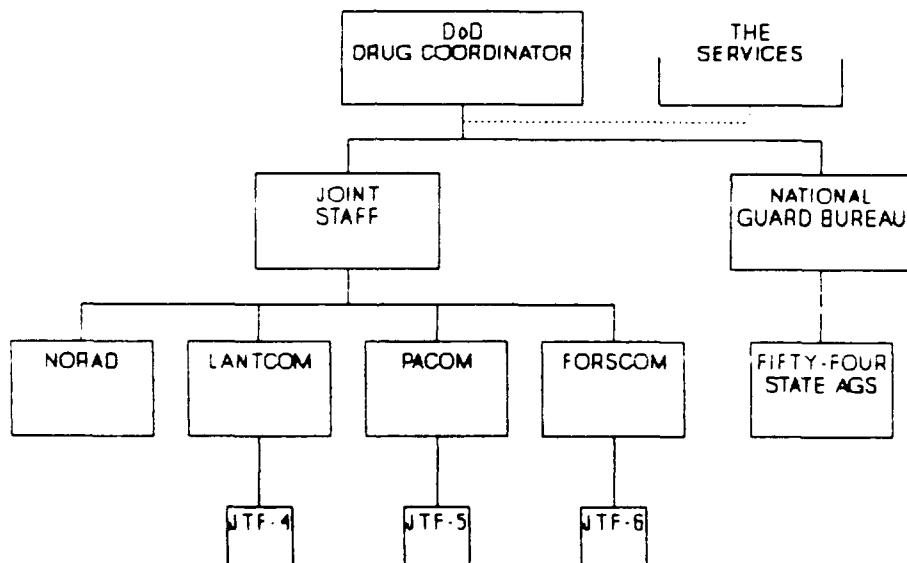


FIGURE V-2
DoD ORGANIZATION FOR CONUS DRUG LAW ENFORCEMENT SUPPORT

DoD INFORMATION AND GUIDANCE TO DLEAs

Historically United States law enforcement agencies and the military have little experience working together on long term projects. Planning processes and execution procedures are very different. It is important that information explaining military support capabilities and guidance outlining procedures for requesting such support be provided to law enforcement agencies.

There has been very little written information from major military headquarters with drug support responsibilities, regarding the kinds of Federal military support available to DLEAs or the procedures for requesting it. No written guidance has been provided to DLEAs from OSD² or USFORSCOM³. The guidance that has been provided by these headquarters has been through verbal briefings at planning conferences and benefits only those DLEAs attending the conferences.

At levels below USFORSCOM some information and guidance has recently been provided by JTF-6 in the form of a brochure explaining the JTF-6 organization and function. Fifth U.S. Army has also published a small catalogue and First U.S. Army has developed a brochure outlining available support. The distribution of these publications does not cover all DLEAs in the specific areas of responsibility,⁴ however, they are certainly a step in the right direction. Second, Fourth, and Sixth U.S. Armies have not provided written information or guidance on drug support available to DLEAs.⁵

The National Guard Bureau has provided policy guidance for

State level drug interdiction and counter drug support operations to all states, Puerto Rico, Guam, The Virgin Islands, and the District of Columbia encouraging the development of memoranda of understanding with supported law enforcement agencies. Such memoranda should include, "---- parameters for employment of National Guard personnel and equipment, reporting procedures, command and control measures, communication channels, scope of approved operations, property accountability, force protection, public affairs, and safety."⁶ This guidance also spells out the procedures for loan or lease of National Guard equipment to law enforcement agencies.

Written information on what support is available seems to be spotty at best, with none from the strategic level, some from various commands at the operational level, and little or none at the tactical level. Written guidance on procedures for requesting support is almost non-existent. In response to a question on what written instructions have been provided DLEAs on the procedures to be used in requesting support, an official in the DoD Drug Coordinators office referred to the National Guard Bureau Memorandum quoted above and a "Draft" National Guard Regulation (NGR 500-1) saying:

"These are the only 'written instructions' for requesting support. Many arguments have ensued regarding requests. FORSCOM has said that everything should come to them (requests for support). The AGs think it should come to them. The current thinking is to let the process alone and not formalize it to such a great extent. Most frequent users now know who they can go to for support. The new users are the ones having problems."⁷

GUIDANCE TO SUBORDINATE HEADQUARTERS

DoD guidance for implementation of the drug mission has been excellent and is a key reason for the rapid implementation of that mission.⁸ Following the initial DoD guidance, additional guidance has been provided continually from OSD, the Joint Staff, and the designated CINCs. The latest being a message from the Chairman of the Joint Chiefs of Staff delegating increased (but not blanket) authority for approving operational support to drug law enforcement agencies to the CINCs.⁹

The guidance that has not been provided is specific procedures for law enforcement agencies to follow in requesting support. Without this guidance there is no way to ensure that support is provided at the lowest level possible, or to avoid duplication of support. Experience has shown that law enforcement agencies, lacking specific guidance on where their requests are to be submitted, frequently send requests for the same support to several different military headquarters hoping that at least one of them will provide the support. This has led to duplication of effort and expenditure of limited drug support funding needlessly. The potential for duplication of effort is increased when the requests go to the National Guard state headquarters and to a federal military headquarters for the same mission.

ENDNOTES

CHAPTER V

1. Richard B. Cheney, Secretary of Defense, Memorandum for Secretaries of the Military Departments, April 22, 1989.
2. Interview with David McCullough, COL, Office of the Deputy Assistant Secretary of Defense for Drug Enforcement Plans and Support, Carlisle Barracks, PA, 7 December 1990.
3. Interview with Gregory F. Raisor, LTC, Headquarters FORSCOM, Atlanta, GA, 6 March 1990.
4. Ibid.
5. Interviews with LTC Gregory Raisor, USFORSCOM, and MAJ Ted Konfederak, HQs Sixth U.S. Army, Atlanta, GA, 6 March 1991.
6. LTG John B. Conaway, USAF, Chief, National Guard Bureau, Memorandum for the Adjutants General of All States, Puerto Rico, The Virgin Islands, Guam, and the District of Columbia, Subject: Drug Interdiction and Counter Drug Support Policy, 15 February 1990.
7. Informal written response from an official in the DoD Drug Coordinators Office, 8 January 1991.
8. Richard B. Cheney, Department of Defense Guidance for Implementation of the President's National Drug Control Strategy, 18 September 1989. pp. 1-5.
9. Chairman of the Joint Chiefs of Staff, message to the CINCs and the military services, Subject: Delegation of Authority for Approving Operational Support to Drug Law Enforcement Agencies, 14 February 1991.

CHAPTER VI

**EFFECTIVENESS OF GUIDANCE FOR
IMPLEMENTING SUPPORT**

Support from one agency to another can only be as effective as the understanding by the supported agency of what support is available and the procedures for obtaining it. Therefore, a true measurement of effectiveness must include an assessment of the written information and procedural guidance provided by the various DoD elements, from the Office of the Secretary of Defense down to the lowest level headquarters, to law enforcement agencies on what kinds of support can be provided, and how to get it.

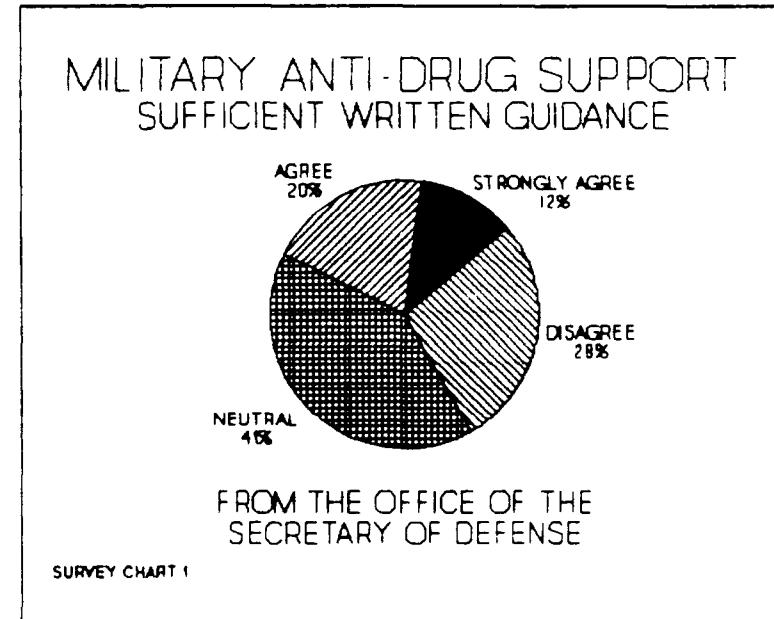
Inquiries made as part of this study, and a related study on methods of measuring the effectiveness of military support to DLEAs,¹ indicate that the guidance has been spotty, erratic, and for the most part, oral rather than written. Most Federal agencies, at least at the national level, only vaguely understand what support is available from DoD. The level of understanding within the agencies seems to diminish at the regional and local levels.

Understanding by state and local law enforcement appears to be a product of the level of DoD interest in the specific area. JFT-6 and the National Guard headquarters in the four Southwest border states have a high level of interest in counternarcotics support efforts; therefore, the understanding of what assets are available and how to request them is proportionally higher than

in other areas. Two central elements in all areas are lack of written guidance available to law enforcement, and the failure of law enforcement to pass the information down to the lowest level. As part of the research for this study, a survey was sent to 210 county sheriffs nation-wide to determine their level of understanding of DoD counternarcotics support available to them. The survey was also sent to the 54 National Guard State headquarters to determine their understanding of DoD guidance, and their perception of how well they had provided guidance to DLEAs.² Results from respondents to that survey are provided as possible indicators of the effectiveness of DoD guidance for implementing counter-drug support.

The survey asked if sufficient written guidance on what support is available, and the procedures for requesting it had been provided by the various DoD headquarters. The following five charts show the responses relative to OSD, NGB, JTF-6, the CONUSAs, and National Guard State headquarters.

Responses to this question range from "I have had no information at all on this program" and "From your questions it is obvious that there is a great deal of information that has not made its way to us. We can't call on these services if we don't know what they are or

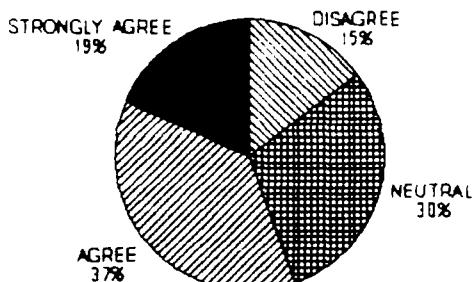


how to ask for them." to "The California National Guard and JTF-6 have been excellent sources and resources.: and "--they provide contacts, equipment, helicopters, (and) media relations for our eradication program."

The majority of the comments, however, indicate little in the way of written guidance on what kind of support and how to request it has been provided to State and local law enforcement agencies. The neutral response on the charts indicates that the respondent does not know if written guidance has been provided or not.

While that does not mean that guidance has not been provided, it indicates that the law enforcement agency does not have an understanding of what is available and how to get it, and therefore

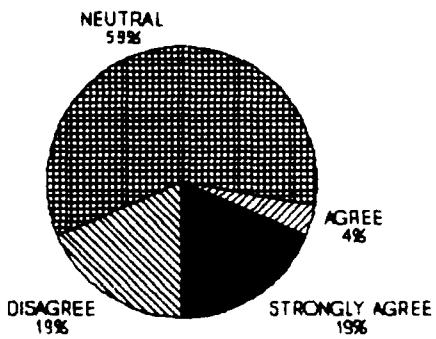
MILITARY ANTI-DRUG SUPPORT SUFFICIENT WRITTEN GUIDANCE



FROM NATIONAL GUARD BUREAU

SURVEY CHART 2

MILITARY ANTI-DRUG SUPPORT SUFFICIENT WRITTEN GUIDANCE



FROM JOINT TASK FORCE SIX

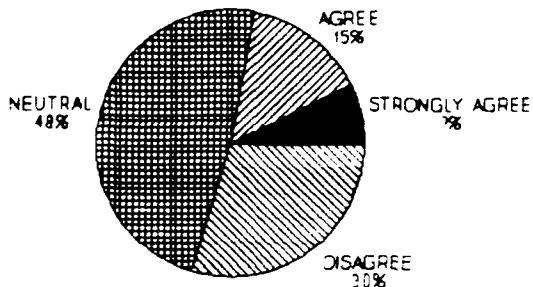
SURVEY CHART 3

cannot take advantage of all available support.

Although only about 25% of the law enforcement officials responded, indications are that the states in or near high intensity drug trafficking areas are doing a much better

job providing guidance than those in other areas. Responses indicate that Joint Task Force Six is doing a better job of providing guidance than the CONUSAs. In the Southwest border states, law enforcement agencies in the southern part of the state, near the border, are receiving better guidance than those in the northern sectors. Many law enforcement agencies in the middle section of the country indicate that they have received no information at all on military support.

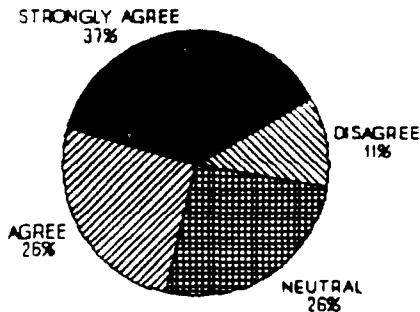
MILITARY ANTI-DRUG SUPPORT SUFFICIENT GUIDANCE FROM CONUSA



THE CONUSA FOR MY AREA HAS PROVIDED
SUFFICIENT GUIDANCE

SURVEY CHART 6

MILITARY ANTI-DRUG SUPPORT GUIDANCE FROM STATE NATIONAL GUARD



STATE NATIONAL GUARD HAS PROVIDED
ADEQUATE SUPPORT GUIDANCE

CHART 4

The survey asked if the appropriate military headquarters had provided written lists to law enforcement agencies of what equipment and support are available.

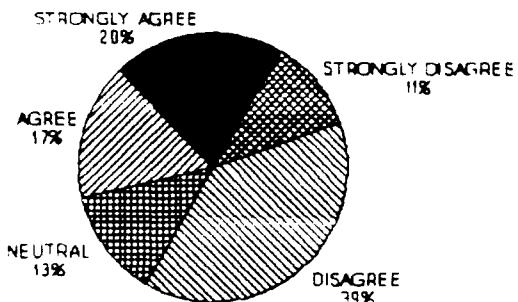
A total of 63% strongly disagree, disagree, or are neutral (don't know what support is available or how to request it).

Another question asked if a list of military points of contact had been provided. Only 37% answered yes.

The survey also asked if respondents know what a Regional Logistics Support Center is, where the one for their region is located, and how to contact it if necessary. Sixty percent indicated that they did not know what or where it is, or how to contact it. Although the RLSOs are fairly new, better state and local

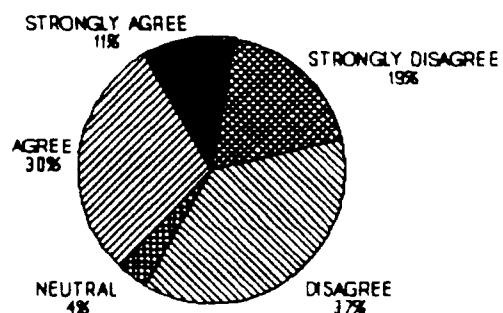
level coordination is needed to ensure they are used as intended.

MILITARY ANTI-DRUG SUPPORT LIST OF AVAILABLE SPT & EQUIP



APPROPRIATE MILITARY HEADQUARTERS HAS PROVIDED A SPT / EQUIP LIST
SURVEY CHART 5

MILITARY ANTI-DRUG SUPPORT REGIONAL LOGISTICS SUPPORT CENTERS



I KNOW WHERE IT IS AND HOW TO CONTACT IT
SURVEY CHART 6

ENDNOTES

CHAPTER VI

1. Dennis L. Hunter, et al., Measuring Department of Defense Effectiveness in Counternarcotics Support, pp. 1-22.
2. a research survey was sent by this author to 210 State and local law enforcement agencies nation-wide and the National Guard headquarters of 54 States, territories, possessions, and the District of Columbia.

CHAPTER VII

CONCLUSIONS AND RECOMMENDATIONS

The drug problem in the United States is enormous. The President's National Drug Control Strategy calls for an all out war against the scourge of illegal drugs. The Secretary of Defense has stated that "The supply of illicit drugs to the United States from abroad, the associated violence and international instability, and the use of illegal drugs within the country pose a direct threat to the sovereignty and security of the country." He further stated that "For these reasons, the detection and countering of the production, trafficking and use of illegal drugs is a high priority national security mission of the Department of Defense."²

During 1989 the Secretary of Defense and his staff worked hard to reorient the Department of Defense from an attitude of avoiding involvement in counter-drug support to one of proactive, aggressive involvement. Great progress has been made on all three of the missions tasked to the DoD by Congress in spite of a lack of national strategic guidance at the outset. The DoD organization is in place to provide any level of military support directed by the President or the Congress.

It is time now to continue the planning and refine the operations set in place in 1989. Development of specific written guidance and instructions to DLEAs on what support is available and what procedures should be used to request such support will greatly improve the capability of all levels of DoD to support

law enforcement. Emphasis must spread from the early focus on Federal agencies to now include State and local law enforcement as well. Steps must be taken to ensure coordination and cooperation between the various elements of DoD. Law enforcement requests for support must be satisfied at the lowest possible level and duplication of effort must be eliminated. Because of the very nature and organization of the military and the requirement by the Congress for the National Guard to provide support in a "State" status rather than in Federal service, interface procedures must be established by the Office of the Secretary of Defense. The following procedures are proposed to ensure the coordination and cooperation necessary for efficient military support operations and to provide law enforcement agencies with information on support available and methods for requesting it.

MENU OF AVAILABLE SUPPORT

Based on experience gained over the past years of support to law enforcement, DoD should develop a list of military equipment with a high demand history by law enforcement for counter-drug support operations. Obviously this list cannot be all encompassing, but should focus on key items of equipment unique to the military. This list must then be provided to law enforcement agencies at all levels by a method that is both quickly transmitted and easily updated. One such method that should be considered is the Law Enforcement Television Network which provides dedicated programming to law enforcement subscribers. Another method could be the automated law enforcement data base available

to many law enforcement agencies. Whatever the method or methods used, they should have the capability of being regionally customized to reflect equipment available in the specific region.

A menu of operational support (support that involves the commitment of personnel assets as well as equipment) should also be developed. This menu will require greater customization based on the capabilities of the military units in the specific area. It should be general in nature in order to keep it manageable, and could use the DoD approved list of National Guard counter-drug support missions as a starting point. Distribution procedures should be the same as for the equipment list.

PROCEDURES FOR REQUESTING SUPPORT

Request procedures must be carefully coordinated with law enforcement authorities at all levels, Federal, State, and local. The Federal level is less a problem than State and local because there are fewer agencies and there is a history of interface. At the State and local level there are more agencies, less experience working with the military, and an increased chance of compromise due to greater numbers of personnel and dispersion.

Results of the survey mentioned earlier, for example, indicate that the majority of participating Texas sheriffs had received no guidance on military support.³ This is somewhat misleading in that the official lead agency for counternarcotics operations in Texas is the Department of Public Safety. Decisions on military support to law enforcement and on which agencies receive information on support capabilities and operations

are made by this department.⁴ Because of a fear of compromise, the Texas Department of Public Safety has not yet allowed most of the Texas Sheriff's Offices to be included in military support coordination. This is a problem over which the military has no control, but which must be resolved within the law enforcement community. Similar considerations must be applied to survey results from other states as well.

The fact remains, however, that in order to provide meaningful counter-drug support to law enforcement at the tactical level, State and local law enforcement agencies must be included. It is important then to provide these agencies with procedures for requesting support at the nearest military headquarters. Since all law enforcement agencies are tied to jurisdictional areas, it makes sense to input the request at the lowest level possible. In most cases that is the State National Guard which has units located throughout the State. Therefore, all DLEA requests should be submitted to the State National Guard headquarters. Those within the capability of the National Guard would be satisfied at that level and others forwarded to the next higher level in the DoD chain of command. Requests for non-operational support would be handed off by the National Guard to the CONUSA or the RLSO, and on up the chain with each request being satisfied at the lowest possible level. Operational support requests would be satisfied or handed off to the CONUSA and on up in the same manner.

A system of support such as that described above is workable

within the current organizational structure of the armed forces. What is lacking is guidance and directives from OSD to cause the institutionalization of such procedures. Military support to law enforcement counternarcotics efforts is destined to be a long term requirement. Word of mouth guidance and procedures will no longer suffice. OSD must accept the responsibility of providing the guidance necessary to accomplish this mission in an efficient and cost effective manner.

SUMMARY OF RECOMMENDATIONS

- 0 Develop list of high demand military equipment
- 0 Develop regional menus of operational spt capabilities
- 0 Provide DLEAs written procedures for requesting spt
 - 0 Input request at lowest level
 - 0 Receiving HQs satisfy request or elevate
 - 0 All requests satisfied at lowest possible level

ENDNOTES

CHAPTER VII

1. Richard B. Cheney, Department of Defense Guidance for Implementation of the President's National Drug Control Strategy, 18 September 1989, p. 1.
2. Ibid.
3. A research survey was sent by this author to 210 State and local law enforcement agencies nation-wide and the National Guard headquarters of 54 States, territories, possessions, and the District of Columbia.
4. Interview with LTC Bennie Cottle, Texas Army National Guard, Atlanta, GA, 6 March 1991.

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